

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

Sr. No.216

CRM-M-35341-2020

Date of decision: 18.02.2021

Dilsher Singh

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. Rakesh Gupta, Advocate
for the petitioner.

Mr. Sidakmeet Singh Sandhu, AAG,Punjab.

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DEEPAK SIBAL, J. (Oral)

Case taken up through video conferencing.

The present petition has been filed under Section 439 Cr.P.C. for the grant of regular bail in FIR No.240 dated 12.10.2013 registered under Sections 307, 326, 427, 148, 140 IPC and Sections 25/54-59 of Arms Act, 1959 at Police Station Beas, District Amritsar.

The petitioner is being prosecuted for having attempted to murder the complainant.

Learned counsel for the petitioner submits that though the petitioner was declared a proclaimed offender, he was arrested on 06.08.2020 and for the last over 06 months has been in custody; there is no injury attributed to the petitioner; the petitioner is not accused in any other criminal case; the only allegation against the petitioner is that he fired in the air; co-accused Princepal Singh @ Rimpa, who is attributed the fire arm injury and who was also declared a proclaimed offender had earlier approached this Court through CRM-M-3691-2019 in which petition this Court directed him to surrender before the Trial Court and on such surrender passed further orders to admit him to bail and that the petitioner's trial is not likely to conclude in the near future especially in the present circumstances when the world is facing the Covid-19 pandemic.

Learned State counsel opposes the grant of bail to the petitioner not only on the ground that the petitioner is accused of attempt to murder

but also because he was declared a proclaimed offender.

The petitioner has been in custody for the last over 06 months; there is no injury attributed to the petitioner; the petitioner is not an accused in any other criminal case; the only allegation against the petitioner is that he fired in the air; the main accused Princepal Singh @ Rimpia, who was also declared a proclaimed offender like the petitioner, after issuance of a direction by this Court surrendered before the Trial Court and on such surrender was admitted to bail; the petitioner has been in custody for over 06 months and the petitioner's trial is not likely to conclude in the near future especially in the present circumstances when the world is facing the Covid-19 pandemic.

Keeping in view the totality of the above facts, the present case is considered to be a fit one in which the petitioner be directed to be released on regular bail. Resultantly, subject to the satisfaction of the CJM/Duty Magistrate, Amritsar, who shall insist on at least two heavy local sureties, the petitioner is directed to be released on bail.

In addition thereto, the petitioner shall mark his attendance with the local SHO on the first of every month till the completion of trial.

It is clarified that the above observations have been made only for the limited purpose of deciding the present regular bail application and the same would not be construed to be an expression of opinion on the merits of the case.

(DEEPAK SIBAL)
JUDGE

February 18, 2021
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Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No